



Interest Group on the Law of the Sea

ANNUAL REPORT 2020-2021

I. Governance

LAWSEA is one of the 20 [Interest Groups of the European Society of International Law](#), aiming at providing a forum for those involved in, or interested in, international law of the sea matters. Its Coordinating Committee is composed of the following ESIL members: [Anthi Koskina](#) (National & Kapodistrian University of Athens), [Gabriela Oanta](#) (University of A Coruña), [Iriní Papanicolopulu](#) (University of Milano-Bicocca) and [Jessica Schechinger](#) (University of Glasgow).

LAWSEA maintains a presence in the academic community, participating dynamically in events such as the ESIL Annual conferences and ESIL Research Fora. For this purpose, we are collaborating intensively, via the internet and virtual meetings, to formulate and structure activities allowing our IG members to meet (in person or remotely), exchange ideas and discuss challenging LoS topics.

In parallel with this, our IG strengthens its web presence daily to reach as many LoS scholars as possible. Our online presence in social networking sites developed further. We have a [website](#), and we have now more than 1.300 followers that follow our [twitter account](#) ! We plan to remain active, and we keep on encouraging our IG members to contact us for disseminating upcoming law of the sea events, seminars, publications, news items, etc. We believe and hope our online presence is allowing for thoughtful discussion amongst the members of the IG and the wider LoS community.

II. Events

1. Webinar series on ‘Current Issues in the Law of the Sea’

LAWSEA organised a webinar series entitled [‘Current Issues in the Law of the Sea’](#). The series was primarily directed at the members of our IG but was open to the broader law

of the sea community and everyone that is interested in the law of the sea; it consisted of five seminars which took place on Thursdays, every two weeks, from 11.30 am - 12.30 CEST (the meetings were not being recorded).

Our five speakers had different backgrounds in the law of the sea, and each addressed a topic of their choice, representing a current challenge/issue in the law of the sea. They addressed the topic for max. 30 minutes, after which a live Q&A session of 30 minutes followed.

[Tomas Heidar](#), Vice-President of the International Tribunal for the Law of the Sea, opened the series and delivered –on Thursday 13 May 2021– the inaugural webinar entitled ‘**The International Tribunal for the Law of the Sea: Recent Jurisprudence and Looking Forward**’. We were honored that this session was chaired by Professor [Maria Gavouneli](#), (National & Kapodistrian University of Athens), who convened this IG for many years.

[Marco Benatar](#), Associate Legal Officer at the International Tribunal for the Law of the Sea, delivered –on Thursday 27 May 2021– the second webinar of this series, which was entitled ‘**Questions of Evidence in Law of the Sea Adjudication**’ ; the event was chaired by Jessica Schechinger (University of Glasgow).

[Gabriele Götttsche-Wanli](#), Former Director, UN DOALOS, delivered the third webinar (on Thursday 10 June 2021) entitled ‘**Is the future BBNJ agreement going to fill all relevant gaps relating to the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction?**’, which was chaired by Irimi Papanicopulu (University of Milano-Bicocca).

[Nilüfer Oral](#), member of the UN International Law Commission and Director of the Centre of International Law (CIL) at the National University of Singapore, delivered the fourth webinar, on ‘**Sea Level Rise and the UN Convention on the Law of the Sea: Adapting to New Circumstances**’; the event which took place on Thursday 24 June 2021 was chaired by Gabriela Oanta (University of A Coruña).

Finally, [Fred Soons](#), Professor Emeritus of Public International Law, Utrecht University, delivered the fifth and last seminar of this series titled ‘**The current significance of the rules of reference in the law of the sea**’, on Thursday 8 July 2021; the webinar was chaired by Anthi Koskina (National and Kapodistrian University of Athens).

The number of participants reached up to more than 120, testifying to the great success of this first Webinar series!

2. Agora at the ESIL Annual Conference (Stockholm 2021) on “Nature, Past, Present and Future of Law of the Sea Scholarship”

We were delighted that the LAWSEA panel proposal on “[Nature, Past, Present and Future of Law of the Sea Scholarship](#)” was chosen to be included in the 16th Annual Conference of the European Society of International Law held in Stockholm on 9-11 September 2021 (*Changes in International Law making: Actors, Processes, Impact*), as Agora 12.

Our proposal was based on the premise that, nowadays, there are many international actors (States, international organizations, NGOs, individuals, etc.), and the Westphalian model and State sovereignty have arguably eroded to some extent. The State has lost some of its powers on the international stage; however, it continues to be the main actor on the international level having full international legal personality. Hence, when it comes to the law of the sea, has law making changed as well? In the last decades, the decisions of international courts and tribunals with jurisdiction in the field of the law of the sea, on the one hand, together with the activity of the International Law Commission, have been highly relevant in terms of law making on law of the sea issues. On the other hand, scholarship has also contributed considerably to the crystallization and development of the law of the sea.

The LAWSEA Panel (namely, *Agora 12*) discussing these challenging aspects was held on 11 September 2021 and chaired by André Nollkaemper (University of Amsterdam), at the Auditorium 6, South House, Stockholm Centre for International Law and Justice (SCILJ).

Our three speakers debated law making in the law of the sea through scholarship under Article 38(1)(d) of the ICJ Statute as a (subsidiary) source of international law, the position and effect of individual scholars as actors, and the impact of legal scholarship in terms of (traditional) international law making in the law of the sea field. In particular, Irini Papanicolopulu discussed “*The Past (Nature) of Law of the Sea Scholarship*”; Richard Barnes, “*The Present (Nature) of Law of the Sea Scholarship*” and Miguel García García-Revilla, “*The Future (Nature) of Law of the Sea Scholarship*”. The discussion which followed these presentations was lively and drew attention to key issues not only for the law of the sea but for international law more broadly.

III. Plans for the future

We were delighted at the success of our first webinar series entitled ‘[Current Issues in the Law of the Sea](#)’, which took place from May to July 2021. Members of the IG and the wider LoS community showed great interest in attending the webinars and

participating in the debates, despite the difficult conditions related to the covid-19 pandemic. We therefore plan to organise a second webinar series, this academic year.

We aim to remain active and participate in all the ESIL events, within, however, the limitations posed by the pandemic. At the same time, we strongly encourage the IG members to contact us with any ideas and views on possible LoS activities and any opportunities for co-operation.

24 September 2021

For ESIL LAWSEA
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